

ORDINANCE NO. O-261-2010

AN ORDINANCE OF THE LAFAYETTE CITY-PARISH COUNCIL AUTHORIZING THE PUBLICATION OF NOTICES OF INTENTION TO CREATE THE LAFAYETTE INTERSTATE CORRIDOR ECONOMIC DEVELOPMENT DISTRICT, STATE OF LOUISIANA AND AMBASSADOR CAFFERY - KALISTE SALOOM - VEROT SCHOOL ECONOMIC DEVELOPMENT DISTRICT, STATE OF LOUISIANA AND TO LEVY A ONE PERCENT (1.00%) SALES AND USE TAX THEREIN AS AUTHORIZED BY PART II OF CHAPTER 27 OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED (LA R.S. 33:9038.31 *ET SEQ.*), AND AMENDING THE FY 10/11 OPERATING BUDGET OF THE LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT BY INCREASING THE USE OF PY FUND BALANCE IN THE AMOUNT OF \$3,804 AND APPROPRIATING WITHIN THE TRAFFIC AND TRANSPORTATION DEPARTMENT, PLANNING DIVISION, FOR REQUIRED PUBLIC NOTICES AND PROVIDING FOR OTHER MATTERS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Lafayette City-Parish Council, that:

WHEREAS, Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31, *et seq.*) (the "Act") authorizes municipalities, parishes and certain other local governmental subdivisions to create economic development districts to carry out the purposes of the Act, which economic development districts are political subdivisions of the State of Louisiana and possess such power and authority and have such duties as provided by the Act and other law; and

WHEREAS, the Lafayette City-Parish Consolidated Government, acting through this Lafayette City-Parish Council as its governing authority, desires to avail itself of the Act to create economic development districts to be called the "Lafayette Interstate Corridor Economic Development District, State of Louisiana" (the "I-49/I-10 District"), and "Ambassador Caffery - Kaliste Saloom - Verot School Economic Development District, State of Louisiana" (the "A-K-V District"), in accordance with La. R.S. 33:9038.32; and

WHEREAS, La. R.S. 33:9038.39 further permits such economic development districts to levy sales and use taxes for authorized purposes; and

WHEREAS, La. R.S. 33:9038.34(O) provides that this governing authority may create a special trust fund for the furtherance of economic development projects, as defined in the Act, into which the incremental increases in such sales taxes shall be deposited and loaned, granted, donated, or pledged in furtherance of economic development projects as defined in the Act; and

WHEREAS, in accordance with the Act, particularly La. R.S. 33:9038.32(B) and La. R.S. 33:9038.39, the Lafayette City-Parish Council now desires to give notice of its intention and to hold a public meeting relative to the proposed creation of the I-49/I-10 District and A-K-V District and the proposed levy of the sales and use tax therein, including maps showing the boundaries of the I-49/I-10 District and A-K-V District, which notices shall be published once a

week for two weeks in the Lafayette City-Parish Council's official journal, the first publication to appear at least fourteen days before the public meeting mentioned therein.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Lafayette City-Parish Council, that:

SECTION 1: All of the aforescribed "Whereas" clauses are adopted as part of this ordinance.

SECTION 2: In accordance with the Act, and particularly La. R.S. 33:9038.32 and La. R.S. 33:9038.39, the Lafayette City-Parish Council does hereby give notice of its intention to create economic development districts to be called the "Lafayette Interstate Corridor Economic Development District, State of Louisiana" and "Ambassador Caffery – Kaliste Saloom – Verot School Economic Development District, State of Louisiana," and to levy therein a one percent (1.00%) sales and use tax for the purpose of paying the costs of economic development projects as defined in La. R.S. 9038.34(M) and La. R.S. 33:9038.36.

SECTION 3: The Traffic and Transportation Department, Planning Division is authorized and directed to publish Notices of Intention, in substantially the attached forms, **EXHIBIT A** and **EXHIBIT B**, which notices shall be published once a week for two weeks in the Lafayette City-Parish Council's official journal, the first publication to appear at least fourteen days before the public meeting mentioned therein.

SECTION 4: At the date, time and place mentioned in the aforesaid Notices of Intention, this Lafayette City-Parish Council will meet in open and public meeting, to hear any objections to the proposed creation of the I-49/I-10 District and A-K-V District and/or the levy of the sales and use tax described therein.

SECTION 5: The FY 10/11 operating budget of the Lafayette City-Parish Consolidated Government is hereby amended by increasing the use of PY fund balance in the amount of \$3,804 and appropriating within the Traffic and Transportation Department, Planning Division for required public notices related to establishing economic development districts.

SECTION 6: This transfer shall be as reflected in any pertinent documents which are attached hereto and made a part hereof and filed in the Office of the Clerk of the Lafayette City-Parish Council.

SECTION 7: The Lafayette City-Parish President is hereby authorized to do any and all things necessary and incidental to carry out the provisions of this ordinance.

SECTION 8: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 9: This ordinance shall become effective upon signature of the Lafayette City-Parish President, the elapse of ten (10) days after receipt by the Lafayette City-Parish President without signature or veto, or upon an override of a veto, whichever occurs first.

AUTHORIZATION FOR BUDGETARY REVISIONS

For Fiscal Year: 10/11

TYPE REVISIONS	Intra - departmental transfers of appropriations	<input type="checkbox"/>
	Inter - departmental transfers of appropriations	<input checked="" type="checkbox"/>
	Disposition of new revenues	<input type="checkbox"/>
	Supplemental appropriations from Council Reserves	<input type="checkbox"/>

~~Prior Year Fund Balance~~
City General Fund (Fd 101) @

JUSTIFICATION	To increase the use of PY Fund Balance by \$3,804.00 and appropriate to Traffic and Transportation, Planning Division for required public notices related to creation of economic development districts.
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TRANSFER FROM (DECREASE)	Account Number	Description	Amount

RECEIVED
OCT 12 2010
BUDGET MANAGEMENT

TRANSFER TO (INCREASE)	Account Number	Description	Amount
	30-101-39-9-015-00	Prior Year Fund Balance	\$ 3,804
	43-101-59-6-000-34	Publication and Recordation	\$ 3,804

RECEIVED
OCT 13 2010
LAFAYETTE CONSOLIDATED GOVERNMENT
ASSOC CAO-OFFICE OF FINANCE & MGT

RESERVE BALANCES (BUDGET USE ONLY)	<input type="checkbox"/> Reserve	OPERATING FUNDS (Fd 101)	<input type="checkbox"/> Reserve	CAPITAL FUNDS
	<input checked="" type="checkbox"/> Accum Use of P.Y. Fund Balance		<input type="checkbox"/> Accum Use of P.Y. Fund Balance	
	Transfer No: #3		Transfer No:	
	Balance After This Transfer \$ 8,773,932 -		Balance After This Transfer	

DIVISION HEAD	(DATE)	UTILITY CONSULTING ENGINEER (WHEN APPLICABLE)	(DATE)
Wm [Signature] for Tony Tranel	10-10-10	Shawn Borel	10/12/10
DEPARTMENT HEAD	(DATE)	BUDGET MANAGEMENT OFFICER	(DATE)
		PRESIDENT	(DATE)

BS

SALES AND USE TAX THEREIN

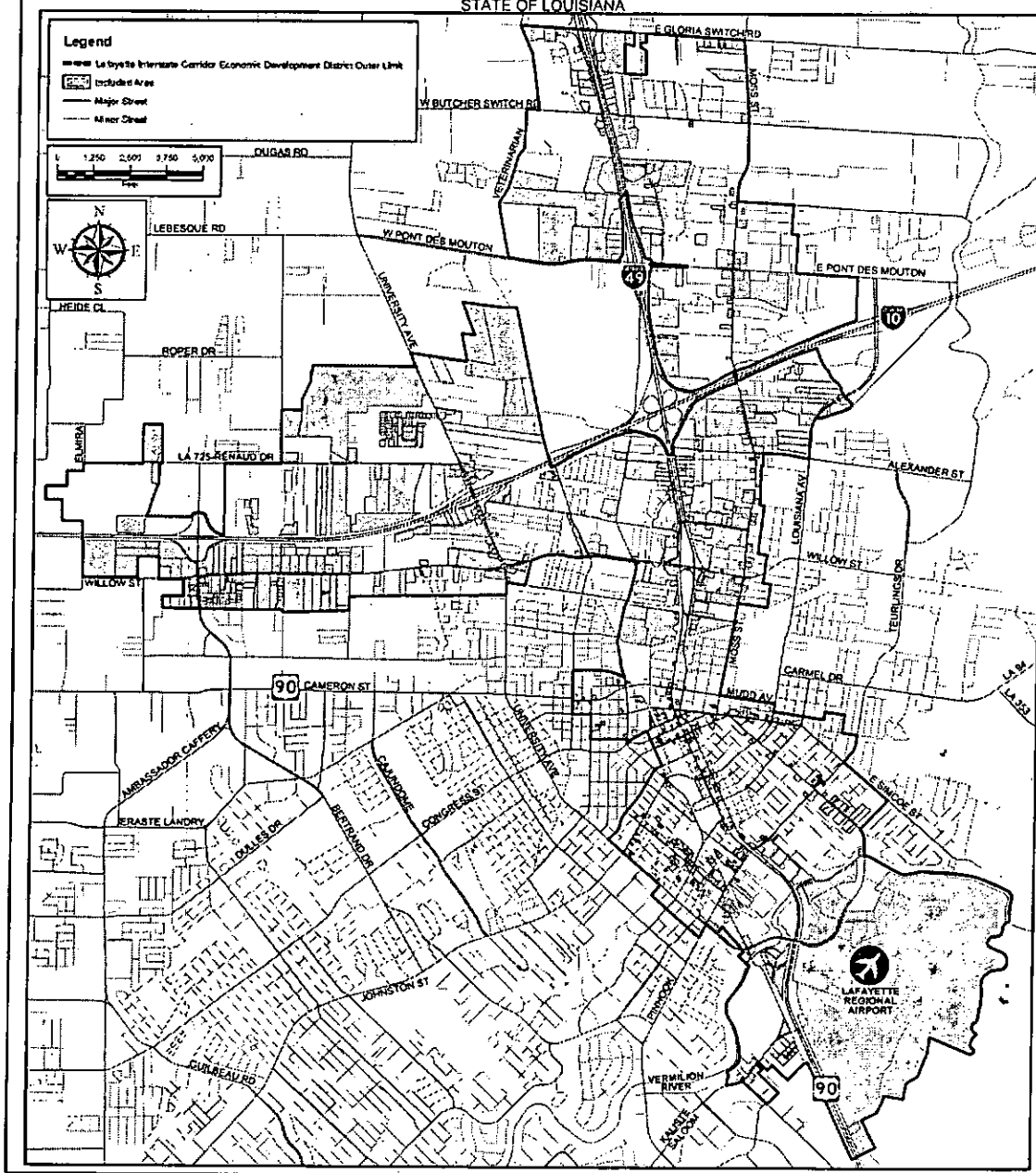
NOTICE IS HEREBY FURTHER GIVEN that upon the creation of the District the Lafayette City - Parish Consolidated Government, State of Louisiana in its capacity as the governing authority of the proposed District, further proposes to consider the adoption of ordinances, pursuant to La. R.S. 33:9038.39, levying in the District an additional one percent (1.00%) sales and use tax, for the purpose of financing economic development projects, as defined in La. R.S. 33:9038.34(M) and La. R.S. 33:9038.36 (the "District Taxes"). The proceeds of the District Taxes will be deposited in a special trust fund to be used for the furtherance of economic development projects within the District. All pursuant to the authority of Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 et seq.).

The boundaries of the proposed and location thereof are depicted as shown as Exhibit A.

Other locations to view a larger and more detailed map are listed below:

Lafayette Consolidated Government City Hall
Council Office, 705 West University Avenue, Lafayette, Louisiana 70506

MAP OF PROPOSED LAFAYETTE INTERSTATE CORRIDOR ECONOMIC DEVELOPMENT DISTRICT,
STATE OF LOUISIANA



**NOTICE OF INTENTION TO CREATE AN
ECONOMIC DEVELOPMENT DISTRICT
IN THE CITY AND PARISH OF LAFAYETTE, STATE OF LOUISIANA,
AND TO LEVY A ONE PERCENT (1.00%)
SALES AND USE TAX THEREIN**

NOTICE IS HEREBY GIVEN that the Lafayette City - Parish Consolidated Government, State of Louisiana proposes to consider the adoption of an ordinance, pursuant to La. R.S. 33:9038.32, creating an economic development district within the Lafayette City - Parish Consolidated Government, State of Louisiana to be called the "Ambassador Caffery - Kaliste Saloom - Verot School Economic Development District, State of Louisiana" (the "District").

NOTICE IS HEREBY FURTHER GIVEN that upon the creation of the District the Lafayette City - Parish Consolidated Government, State of Louisiana in its capacity as the governing authority of the proposed District, further proposes to consider the adoption of ordinances, pursuant to La. R.S. 33:9038.39, levying in the District an additional one percent (1.00%) sales and use tax, for the purpose of financing economic development projects, as defined in La. R.S. 33:9038.34(M) and La. R.S. 33:9038.36 (the "District Taxes"). The proceeds of the District Taxes will be deposited in a special trust fund to be used for the furtherance of economic development projects within the District. All pursuant to the authority of Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 et seq.).

NOTICE IS HEREBY FURTHER GIVEN that said Lafayette City-Parish Council, acting as governing authority of both the Lafayette City - Parish Consolidated Government, State of Louisiana and the District, will meet in open and public meeting on December 07, 2010, at five thirty o'clock (5:30) p.m., at 705 W. University Ave., Lafayette, Louisiana 70502, to receive public comment as to the creation of the District and/or the proposed levy of the District Taxes as described above.

The boundaries of the proposed and location thereof are depicted as shown as Exhibit A.

In addition, a larger and more detailed map is available to inspect and/or view at 101 East Cypress Street, Lafayette, Louisiana 70501. You may call 337-291-8016 to schedule an appointment to review. Maps and information are also available via the internet: <http://www.lafayetteinc.net/lif.asp>.

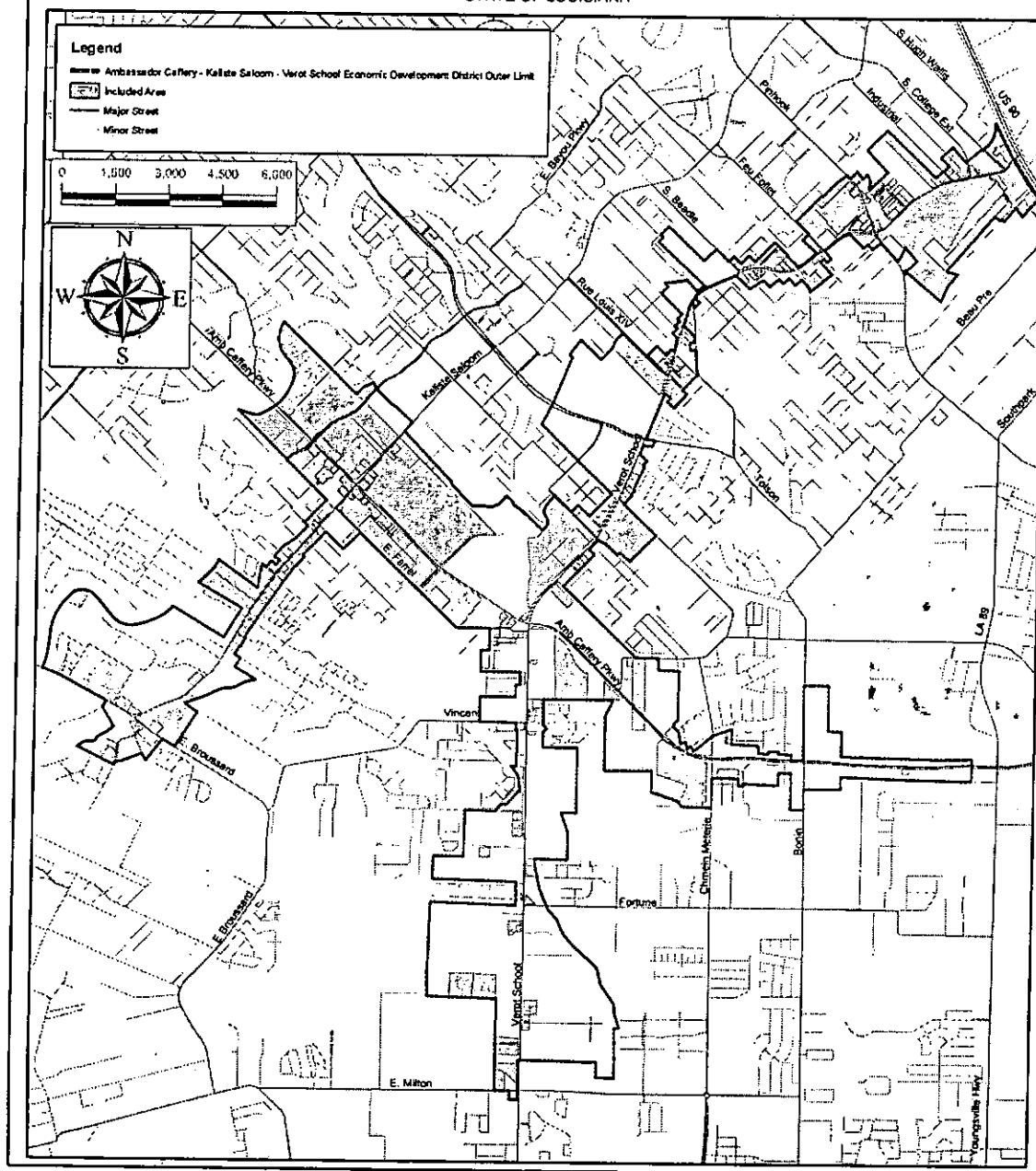
Other locations to view a larger and more detailed map are listed below:

Lafayette Public Libraries
-6101 Johnston Street, Lafayette, LA 70503

Lafayette Consolidated Government City Hall
-Council Office, 705 West University Avenue, Lafayette, Louisiana 70506

EXHIBIT A

**MAP OF PROPOSED AMBASSADOR CAFFERY - KALISTE SALOOM - VEROT SCHOOL ECONOMIC DEVELOPMENT DISTRICT,
STATE OF LOUISIANA**



From: John Vallot
Sent: Friday, September 10, 2010 12:41 PM
To: Neil T. Lebouef
Subject: FW: Full page (10 x 19.5") = \$936.00 w/o Affidavit or = \$951.00 w/ Affidavit

Please see below.

John C Vallot, Engineering Aide III
Lafayette Consolidated Government
Dept. of Traffic and Transportation
Metropolitan Planning Organization - 596
Tel. (337) 291-8083
Fax. (337) 291-8458

From: Penfold, Rose [mailto:rpenfold@smgpo.gannett.com]
Sent: Friday, September 10, 2010 11:57 AM
To: John Vallot
Subject: Full page (10 x 19.5") = \$936.00 w/o Affidavit or = \$951.00 w/ Affidavit

Full page (10 columns x 19.5")

Without Affidavit = \$936.00
With Affidavit = \$951.00

P.S. When ad is ready email brendam@theadvertiser.com and "Cc..." on the email
legals@theadvertiser.com .

P.S.S. Please email by 10:00am on Wednesday before the Sunday you want this to publish on: Or
earlier if it is available. This will give Graphics time to do the ad.

Thank you.

Rose Penfold
Legal Clerk/The Daily Advertiser
(337) 289-6432
Please "Cc..." legals@theadvertiser.com
Your local information news source.

LAFAYETTE CONSOLIDATED GOVERNMENT

INTERNAL MEMORANDUM

Traffic & Transportation Department
Office of the Director (597)
e-mail: ttramel@lafayettegov.com

Telephone: 291-8546

Fax: 291-8019

TO: Dee Stanley
FROM: Tony Tramel
SUBJ: Proposed Ordinance

DATE: October 11, 2010

BACKGROUND

Currently, Lafayette Parish has six Tax Increment Finance (TIF) districts that are operational, with two being within the jurisdiction of the Lafayette Consolidated Government. These TIF districts have allowed for the development of infrastructure and related commerce that otherwise may not have been achieved without said districts. TIF districts are a subset of Economic Development Districts (EDD), as stipulated by the Louisiana Revised Statutes. An EDD must first be created, before a TIF district can be established.

ANALYSIS/METHODOLOGY

TIF districts represent a special taxing district with implementation of an additional sales tax within these two districts. This additional sales tax would be a new increment or new revenue; therefore, 100% of this TIF sales tax would be programmed for re-investment within the designated district. Some business persons have concerns about being at a competitive disadvantage because of the additional tax on their goods and services within the TIF district; however, the benefits to provide infrastructure can aid in economic development. Without a TIF district, the north Target Shopping Center would not be in place today.

TIF district revenues can serve as a funding source of "Pay As You Go" funds and/or could be bonded. These funds are also restricted to projects within and/or to the direct benefit of the district. The funds cannot be used for projects unrelated to the function of the district as this would violate the intent and purpose of establishing the TIF district. Legislation relating to TIF's indicates, if qualified electors are contained within the TIF, a general election of the voters within the TIF district is required to establish same. If the area is vacant/undeveloped and/or contains no residents, e.g., there are no persons living within the district, the City-Parish Council can create the district by introducing an ordinance and voting on same. Under this approach, the Council becomes the governing board of the district as it relates to expenditure of TIF funds. These funds are intended to be used for economic development projects which have a direct benefit to the district itself.

The creation of a new sales tax in the TIF negates the requirement of trying to increment the existing property and sales tax when multiple organizations share these revenues, e.g. Sheriff's Department, School Board, Bayou Vermilion District, Library, etc. If any of these organizations

would choose not to permit the re-direction of their anticipated future revenues, the district would not receive same. By having new revenue, those entities' anticipated revenue projections from existing taxes (sales and property) would be unaffected by the creation of TIF districts with an additional sales tax within the TIF.

Two TIFs are being proposed as funding mechanisms to complete vital projects in the city and unincorporated parish of Lafayette. The first TIF district is the Lafayette Interstate Corridor District. This TIF is dedicated to implementing the Corridor Preservation and Management Action Plan to Preserve the I-49 Alignment (I-49 Action Plan) and to fully develop the planned service roads along I-10. The second TIF district is the Ambassador Caffery – Kaliste Saloom – Verot School District. Its main purpose is to supplement funding to complete major road construction projects in the region: Kaliste Saloom and Verot School Road widening. Also, this TIF would provide revenue to complete the Ambassador Caffery South corridor as detailed in the Ambassador Caffery South Tripartite Agreement. Attached as Exhibits A and B are copies of the advertisement notices which will be published, subject to editorial modifications before being officially submitted for advertisement.

OTHER

The creation of a TIF district requires two additional and forthcoming ordinances: one ordinance creating the underlying EDD; and, a subsequent ordinance levying the sales tax increment for the newly created EDD. Once the sales tax increment is levied, then the EDD officially becomes a TIF district. The timeline below depicts internal critical dates for documents to be considered for Council introduction and adoption dates, as well as public notices and their respective publication dates.

EDD (and subsequent TIF District) Adoption Timeline

	Due to Budget	Due to CAO	Date of Council Meeting INTRO	Date of Council Meeting ADOPTION
Ordinances Required for EDD Creation				
1. Funding Request for Public Notice Regarding EDDs and Authorization for Publication of Notice of Intention to Create EDDs	10/12/2010	10/19/2010	11/2/2010	11/16/2010
2. Creation of EDD	11/11/2010	11/17/2010	12/7/2010	12/21/2010
3. Levying of Tax Increment	11/11/2010	11/17/2010	12/7/2010	12/21/2010
	Due to Advertiser	Publication Dates	Requirements	
Public Notice(s) Required for EDD Creation				
		11/21/2010		
1. Notice of Intention to Create EDDs and Levy Taxes	11/17/2010	11/28/2010		
			30 days contest period prior to adoption to create	
2. CFO Certification of Initial Baseline Rate for EDD	11/17/2010	11/21/2010	EDD	30

RECOMMENDATION

Attached is an ordinance authorizing the publication of the Notices of Intention to create the Lafayette Interstate Corridor EDD and the Ambassador Caffery - Kaliste Saloom - Verot School EDD and to levy a 1% sales tax, as well as amending the FY10/11 budget by increasing use of PY fund balance in the amount of \$3,804 and appropriating within the Traffic & Transportation Department, Planning Division.

If you concur, please forward this ordinance to the Council for introduction on November 2, 2010 and final adoption on November 16, 2010. If you need additional information, please contact me at 291-8546.

Wann Adam for Tony Tramel

Tony R. Tramel, P.E., P.T.O.E.
Director of Traffic & Transportation

TRT/ntl:cp

Attachments

c: Mike Hollier
Neil Leboeuf

**LAFAYETTE CONSOLIDATED GOVERNMENT
INTERNAL MEMORANDUM**

Traffic & Transportation Department
Office of the Director (597)
e-mail: ttramel@lafayettega.gov

Telephone: 291-8546

Fax: 291-8019

TO: Dee Stanley

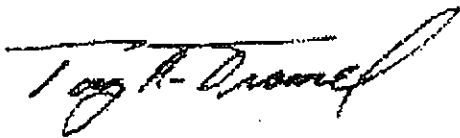
DATE: October 8, 2010

FROM: Tony Tramel

SUBJ: Signature Authority

Please be reminded that I will be out of the office Monday, October 11, 2010 through Wednesday, October 13, 2010, returning to the office on Thursday, October 14, 2010. In my absence, Warren Abadie will have signature authority for all T&T matters needing my signature.

Should you have any questions concerning this matter please contact me at 291-8546.



Tony R. Tramel, P.E., P.T.O.E.
Director of Traffic & Transportation

cp

c: Departmental Directors
Norma Dugas
Melinda Felps
Mark Peake
Sharon Borel
Ray Domingue
Mike Sands
Lucius Broussard
Warren Abadie
Travis Smith
Mike Mitchell
Mike Hollier
Mike LeBlanc

LAFAYETTE CITY/PARISH COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) JUSTIFICATION FOR REQUEST: An ordinance of the Lafayette City-Parish Council authorizing the publication of notices of intention to create the Lafayette Interstate Corridor Economic Development District and Ambassador Caffery – Kaliste Saloom – Verot School Economic Development District and to levy a one percent (1.00%) sales and use tax therein, and amending the FY 10/11 operating budget of the Lafayette City-Parish Consolidated Government by increasing use of PY fund balance in the amount of \$3,804 and appropriating within the Traffic and Transportation Department, Planning Division for required public notices

2) ACTION REQUESTED: Adoption of ordinance

3) COUNCIL DISTRICT(S) (if applicable): _____

If it involves a budget revision, please complete a budgetary revision form.

4) REQUESTED ACTION OF COUNCIL:

A) INTRODUCTION: November 2, 2010

B) FINAL ADOPTION: November 16, 2010

5) DOCUMENTATION INCLUDED WITH THIS REQUEST:

- A) Cover Memo from Director
- B) Submittal Item Justification Form
- C) Ordinance
- D) Budgetary Revision Form
- E) Cost estimate for required public notices
- F) Exhibit A: Notice of Intention to Create the Lafayette Interstate Corridor Economic Development District, State of Louisiana
- G) Exhibit B: Notice of Intention to Create the Ambassador Caffery – Kaliste Saloom – Verot School Economic Development District, State of Louisiana

6) FISCAL IMPACT:

 X Fiscal Impact (Explain) – Increase use of PY fund balance in the amount of \$3,804.00 and appropriate within the Traffic and Transportation Department, Planning Division

 No Fiscal Impact

7) RECOMMENDED BY:

Wanda Adams for Tony Tramel
Director

APPROVED FOR AGENDA:

Cheryl Searles
Chief Administrative Officer

DISPOSITION OF ORDINANCE NO. O-261-2010

1. This ordinance was introduced: _____ Final disposition by Council: _____
November 2, 2010 _____, 2010
 YEAS: Morrison, Castille, Boudreaux, YEAS:
 Bellard, Doré, Bertrand, Patin
 NAYS: Theriot NAYS:
 ABSENT: Shelvin ABSENT:
 RECUSE/ABSTAIN: None RECUSE/ABSTAIN:
- AMENDMENT:
2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on November 5, 2010.
3. This ordinance was presented to the President for his approval on _____, 2010 at _____ o'clock _____ m.
- _____
 CLERK OF THE COUNCIL
4. Disposition by President:
 I hereby:
- A. Approve this ordinance, the _____ day of _____, 2010, at _____ o'clock _____ m.
- B. Veto this ordinance, the _____ day of _____, 2010, at _____ o'clock _____ m., veto message is attached.
- C. Line item veto certain items this _____ day of _____, 2010 at _____ o'clock _____ m., veto message is attached.
- _____
 PRESIDENT
5. Returned to Council office with/without veto message on _____, 2010, at _____ o'clock _____ m.
6. Reconsideration by Council (if vetoed):
 On _____, 2010, the Council did/refused to adopt this ordinance after the President's veto.
- _____
 CLERK OF THE COUNCIL
7. Full Publication:
 Full publication of this ordinance was made in the Advertiser on _____, 2010.
- NOTE: If no approval nor veto of President appears, and ten days have elapsed since this ordinance was presented to him for action, same has been automatically approved.